

**Knobbe Martens Olson & Bear LLP**

Intellectual Property Law

550 West C Street  
Suite 1200  
San Diego CA 92101  
Tel 619-235-8550  
Fax 619-235-0176  
www.kmob.com

RECEIVED  
CENTRAL FAX CENTER

AUG 16 2006

**USPTO FACSIMILE TRANSMITTAL SHEET**

Page 1 of 2

Docket No.: NAGACO.060A

**CUSTOMER NO. 20995**

Applicant : Werner, et al.  
App. No. : 10/035,836  
Filed : December 21, 2001  
For : SURFACE ASSEMBLY FOR  
IMMOBILIZING DNA CAPTURE  
PROBES AND BEAD-BASED ASSAY  
INCLUDING OPTICAL BIO-DISCS AND  
METHODS RELATING THERETO  
Examiner : Forman, Betty J.  
Group Art Unit : 1634

**CERTIFICATE OF FAX TRANSMISSION**

I hereby certify that this correspondence and all  
marked attachments are being transmitted via  
facsimile to the USPTO Central Fax No. (571)  
273-8300 on the date shown below:

August 16, 2006



Eric M. Nelson, Reg. No. 43,829

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

(X) Amendment/Response in eleven (11) pages.

(X) Non-Final

( ) After Final

**FILING FEES:**

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
3 Month Extension		1253 (\$1,020)		\$1,020
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by 1/2.				(\$510)
TOTAL FEE DUE				\$510

(X) Please charge the total fees due in the amount of \$510 to Deposit Account No. 11-1410.

(X) Total pages in transmission: 13

08/17/2006 HNGUYEH1 00000095 111410 10035836

01 FC:2253 510.00 DA

Orange County  
949-760-0404

San Francisco  
415-954-4114

Los Angeles  
310-551-3450

Riverside  
951-781-9231

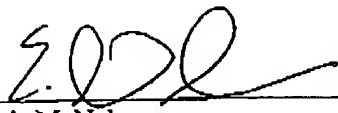
San Luis Obispo  
805-547-5580

**Krotts Martens Olson & Bear LLP**

Application No.: 10/035,836  
Filing Date: December 21, 2001

**CUSTOMER NO. 20995**

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.

  
Eric M. Nelson  
Registration No. 43,829  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

2841714 sma081606

RECEIVED  
CENTRAL FAX CENTER

AUG 16 2006

NAGACO.060A

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Werner, et al.  
Appl. No. : 10/035,836  
Filed : December 21, 2001  
For : SURFACE ASSEMBLY FOR  
IMMOBILIZING DNA CAPTURE  
PROBES AND BEAD-BASED  
ASSAY INCLUDING OPTICAL  
BIO-DISCS AND METHODS  
RELATING THERETO  
  
Examiner : Forman, Betty J.  
Group Art Unit : 1634

CERTIFICATE OF FAX TRANSMISSION  
PTO CENTRALIZED FAX

I hereby certify that this correspondence and all  
marked attachments, are being transmitted via  
facsimile to the USPTO centralized Fax No.  
(571) 273-8300 on the date shown below:

August 16, 2006

(Date)



Eric M. Nelson, Reg. No. 43,829

## AMENDMENT AND RESPONSE

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed February 17, 2006, Applicants respectfully request entry of the following amendments and consideration of the following remark.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.